



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: July 28, 2022.

  
MICHAEL M. PARKER  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

IN RE:	§	
	§	
DEEPROOT CAPITAL MANAGEMENT,	§	
LLC, ET AL. <sup>1</sup> ,	§	BANKRUPTCY No. 21-51523
	§	
DEBTORS.	§	JOINTLY ADMINISTERED

ORDER GRANTING TRUSTEE'S *NUNC PRO TUNC*<sup>2</sup> APPLICATION TO EMPLOY  
GREG T. MURRAY, P.L.L.C. AS ACCOUNTANT

<sup>1</sup> The administratively consolidated chapter 7 cases, along with their respective case numbers and the last four digits of each Debtor's federal tax identification number, are: In Re: Policy Services, Inc. 21-51513 (2864), In Re: Wizard Mode Media, LLC, 21-51514 (3205), In Re: deeproot Pinball LLC, 21-51515 (0320), In Re: deeproot Growth Runs Deep Fund, LLC, 21-51516 (8046), In Re: deeproot 575 Fund, LLC, 21-51517 (9404), In Re: deeproot 3 Year Bonus Income Debenture Fund, LLC, 21-51518 (7731), In Re: deeproot Bonus Growth 5 Year Debenture Fund, LLC, 21-51519 (9661), In Re: deeproot Tech LLC, 21-51520 (9043), In Re: deeproot Funds LLC, 21-51521 (9404), In Re: deeproot Studios LLC, 21-51522 (6283), and In Re: deeproot Capital Management, LLC, 21-51523 (2638), each a "Bankruptcy Estate" and collectively, "Bankruptcy Estates". Each debtor entity is "Debtor" and collectively, "Debtors".

<sup>2</sup> Trustee's counsel notes the recent Supreme Court ruling relating to the issuance of Nunc Pro Tunc Orders, *Roman Catholic Archdiocese of San Juan, Puerto Rico v Acevedo, et al.*, 140 S.Ct. 696 (2020), as well as the recent ruling by Chief United States Bankruptcy Judge Craig A. Gargotta in *In Re: Leroy Ramirez*, Case No. 13-52576-cag, United States Bankruptcy Court for the Western District of Texas, San Antonio Division, Dkt. #93; however, this District's Local Rules still reference "*nunc pro tunc*" employment applications, see LR 9014(c). so that term is used in the Application.

Came on for consideration the *Trustee's Nunc Pro Tunc Application to Employ Greg T. Murray, P.L.L.C. as Accountant* (the "**Application**").<sup>3</sup> Based on the representations made in the Application and in the supporting *Unsworn Declaration under Penalty of Perjury of Greg T. Murray in support of Trustee's Application to Employ Greg T. Murray, P.L.L.C. as Accountant* (the "**Murray Declaration**"), the Court finds that (i) it has jurisdiction over the matters raised in the Application pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Application approving the employment of Greg T. Murray, P.L.L.C. (the "**Firm**") is in the best interest of the Debtors, their respective Bankruptcy Estates and the creditors; (iv) the Firm holds no interest adverse to the Bankruptcy Estates and is a disinterested person under 11 U.S.C. § 101(4); (v) proper and adequate notice of the Application has been given and no further notice is necessary; (vi) no objections to the Application have been filed; (vii) the Firm is qualified to be employed as an accountant to Trustee—to perform work as described in the Application for the Trustee relating to the eleven jointly administered Bankruptcy Estates—pursuant to sections 327 and 504 of the Bankruptcy Code and Bankruptcy Rules 2014 and 2016; and (viii) based upon the record herein, after due deliberation, good and sufficient cause exists for the granting of the Application in all respects.

**IT IS, THEREFORE, ORDERED** that pursuant to section 327(a) of the Bankruptcy Code, the Trustee is authorized to employ the Firm as his accountant, *Nunc Pro Tunc* effective as of January 3, 2022, in accordance with the terms described in the Application and this Order, and to perform the services described therein.

**IT IS FURTHER ORDERED** that if any supplemental declarations or affidavits are filed and served after entry of this Order, absent any objections within 21 days after the filing and service

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<sup>3</sup> Capitalized terms unless otherwise defined herein shall have the meaning as ascribed to them in the Application.

of such supplemental declarations or affidavits, the Firm's employment shall continue as authorized pursuant to this Order.

**IT IS FURTHER ORDERED** that the Firm shall be compensated upon appropriate application in accordance with Bankruptcy Code sections 330 and 331, the Bankruptcy Rules, and the Bankruptcy Local Rules.

**IT IS FURTHER ORDERED** that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

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**Submitted by:**

Randall A. Pulman

Texas State Bar No. 16393250

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**ATTORNEYS FOR JOHN PATRICK LOWE,  
CHAPTER 7 TRUSTEE FOR THE JOINTLY  
ADMINISTERED BANKRUPTCY ESTATE OF  
DEEPROOT CAPITAL MANAGEMENT, LLC, ET AL.**

In re:  
deeproot Capital Management, LLC  
deeproot Capital Management, LLC  
Debtors

Case No. 21-51523-mmp  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0542-5  
Date Rcvd: Jul 28, 2022

User: admin  
Form ID: pdfintp

Page 1 of 4  
Total Noticed: 6

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2022:

Recip ID	Recipient Name and Address
aty	+ Pulman Cappuccio & Pullen, LLP, c/o Randall A. Pulman, 2161 NW Military Hwy., Suite 400, San Antonio, TX 78213-1844
intp	+ Cynthia E. Bryant, 3419 Justinian, Jefferson, IN 47130-8629
intp	+ Greg Murray, 1503 Tarton Lane, San Antonio, TX 78231-2427
intp	+ Jason McKinnie, McKinnie & Paul, PLLC, 8610 N. New Braunfels Ave., Suite 320, San Antonio, TX 78217-6358
intp	+ Lawson C. Horner, III, 3700 E. Williams Field, #1096, Gilbert, AZ 85295-1150
intp	+ Mel T. Davis, P.O. Box 236, Elmendorf, TX 78112-0236

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2022 at the address(es) listed below:

Name	Email Address
A. Craig Hale	on behalf of Creditor Draper 5 LLC achale@halewoodlaw.com
Catherine A. Curtis	on behalf of Debtor deeproot 3 Year Bonus Income Fund LLC catherine.curtis@wickphillips.com, brenda.ramirez@wickphillips.com
Catherine A. Curtis	on behalf of Debtor deeproot 575 Fund LLC catherine.curtis@wickphillips.com, brenda.ramirez@wickphillips.com

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